

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ALASKA ELECTRICAL PENSION FUND;
GENESEE COUNTY EMPLOYEES'
RETIREMENT SYSTEM; COUNTY OF
MONTGOMERY, PENNSYLVANIA;
COUNTY OF WASHINGTON,
PENNSYLVANIA; CITY OF NEW
BRITAIN, CONNECTICUT;
PENNSYLVANIA TURNPIKE
COMMISSION; ERSTE
ABWICKLUNGSANSTALT (EAA); and
PORTIGON AG on behalf of themselves and
all others similarly situated,

Plaintiffs,

vs.

BANK OF AMERICA N.A.; BARCLAYS
BANK PLC; B.N.P. PARIBAS SA;
CITIGROUP INC.; CREDIT SUISSE AG,
NEW YORK BRANCH; DEUTSCHE BANK
AG; THE GOLDMAN SACHS GROUP, INC.;
HSBC BANK USA, N.A., ICAP CAPITAL
MARKETS LLC; JPMORGAN CHASE &
CO.; MORGAN STANLEY & CO. LLC;
NOMURA SECURITIES INTERNATIONAL,
INC.; ROYAL BANK OF SCOTLAND PLC;
UBS AG; and WELLS FARGO BANK, N.A.,

Defendants.

Case No.: 14-cv-7126 (JMF)

**PLAINTIFFS' MOTION FOR
PRELIMINARY APPROVAL OF
SETTLEMENT AGREEMENTS WITH
UBS AG AND HSBC BANK USA, N.A.**

PLEASE TAKE NOTICE that, upon the filing of the accompanying Memorandum of Law in Support of Plaintiffs' Motion for Preliminary Approval of Settlement Agreements with UBS AG and HSBC Bank USA, N.A., as well as all papers and pleadings submitted therewith, Plaintiffs, through their undersigned counsel, hereby move this Court for an order pursuant to Rule 23 of the Federal Rules of Civil Procedure:

- (1) preliminarily approving the Settlements¹ set forth in the Stipulations and Agreements of Settlement with UBS AG and HSBC Bank USA, N.A.;
- (2) preliminarily certifying the following Settlement Class for purposes of settlement only:

all Persons or entities who entered into, received or made payments on, settled, terminated, transacted in, or held an ISDAfix Instrument during the Settlement Class Period [January 1, 2006 through January 31, 2014]. Excluded from the [Settlement] Class are Defendants and their employees, affiliates, parents, subsidiaries, and co-conspirators, should any exist, whether or not named in the Amended Complaint, and the United States Government, provided, however, that Investment Vehicles shall not be excluded from the definition of the Settlement Class;
- (3) preliminarily appointing Robbins Geller Rudman & Dowd LLP; Scott+Scott, Attorneys at Law, LLP; and Quinn Emanuel Urquhart & Sullivan, LLP ("Lead Counsel") as class counsel for the Settlement Class for purposes of settlement only;
- (4) preliminarily appointing Plaintiffs Alaska Electrical Pension Fund; Genesee County Employees' Retirement System; County of Montgomery, Pennsylvania; County of Washington, Pennsylvania; City of New Britain, Connecticut; Pennsylvania Turnpike Commission; Erste Abwicklungsanstalt (EAA); and Portigon AG as class representatives for the Settlement Class for purposes of settlement only;
- (5) appointing Epiq Systems, Inc. as Claims Administrator;

¹ Unless otherwise defined herein, all other capitalized terms have the same meaning as set forth in the Settlement Agreements with UBS AG and HSBC Bank USA, N.A. and/or the Explanation of Defined Terms and Citation Forms in the accompanying Memorandum of Law.

- (6) appointing Lead Counsel as the Escrow Agent; and
- (7) granting such other and further relief as the Court deems just and proper.

DATED: July 11, 2017

Respectfully submitted,

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& SULLIVAN, LLP

/s/ Daniel L. Brockett

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Interim Co-Lead Class Counsel

CERTIFICATE OF SERVICE

I hereby certify that on July 11, 2017, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the email addresses denoted on the Electronic Mail Notice List.

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